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20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 SAN FRANCISCO DIVISION
23

24 JOBY PHOTO, INC.,

25 Plaintiff,

26 v.

27 TOCAD AMERICA, INC.,

28 Defendant.

Case No. 3:07-CV-06455 (SI)

**STIPULATION FOR DISMISSAL AND
[PROPOSED] ORDER**

1 Plaintiff Joby Photo, Inc. ("Joby") and defendant Tocad America, Inc. ("Tocad"), by and
2 through their counsel, hereby stipulate and agree pursuant to Rule 41(a) of the Federal Rules of
3 Civil Procedure, that all claims by Joby against Tocad and all counterclaims by Tocad against
4 Joby in the above-entitled action be dismissed with prejudice. Each party to this stipulation shall
5 bear its own attorneys' fees, costs and expenses incurred in connection with the action.

6 This Court shall retain jurisdiction until April 30, 2009 to enforce the settlement
7 agreement reached on July 25, 2008 in this action.

8 Dated: August 22, 2008

FENWICK & WEST LLP

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10 By: /s/ Kimberly I. Culp
11 Kimberly I. Culp

12 Attorneys for Plaintiff
13 JOBY PHOTO, INC.

14 Dated: August 22, 2008

PERKINS COIE LLP

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16 By: /s/ Michael O. Warnecke
17 Michael O. Warnecke

18 Attorneys for Defendant
19 TOCAD AMERICA, INC.

20 IT IS SO ORDERED.

21 Date: _____

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Honorable Susan Illston
United States District Judge

ATTESTATION

I, Kimberly I. Culp, attest that concurrence in the filing of this document has been obtained by Michael O. Warnecke, counsel for Defendant Tocad America, Inc.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 22nd day of August, 2008 in Mountain View, California.

/s/ Kimberly I. Culp
Kimberly I. Culp

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